

### **DETAILED ACTION**

This is a final Office action. Any new grounds of rejection were necessitated by the applicants' amendments to the claims.

#### ***Claim Objections***

Claim 1 is objected to because of the following informalities:

On line 22 of claim 1, "mount/dismount" should be replaced with "mount/demount". Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 1 is rejected under 35 U.S.C. 112, first paragraph, as based on a disclosure which is not enabling. The lock pin and trunk region of the lock cancel button, critical or essential to the practice of the invention, but not included in the claim(s) is not enabled by the disclosure. See *In re Mayhew*, 527 F.2d 1229, 188 USPQ 356 (CCPA 1976).

Claim 1 recites, "wherein the sliding section is configured to be locked inwardly toward a first body section by a coil spring". In the arguments filed 11/22/06, the applicants refer to figure 4 to explain operation of the coil spring. The specification shows in figure 4 and describes on pp.12-13 that the locking of the sliding section is

effected by the cooperation of the coil spring 113d, the lock pin 106B, and the trunk region 113b of the lock cancel button 113. The locking of the sliding section appears to require the presence of the lock pin and trunk section of the lock cancel button in order to properly function. The specification does not reasonably provide description or enablement of an embodiment in which the locking of the sliding section is effected by the coil spring, as recited in claim, with no mention of the other co-operating parts described above, such that one of ordinary skill in the art would be able to make and/or use the claimed invention without undue experimentation.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 and 3-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,023,816 to Okada et al in view of US Patent No. 2,0090,254 to Feid, or, in the alternative obvious over Okada in view of Feid, and further in view of US Patent No. 6,314,058 to Lee. Okada teaches a fastener comprising a belt member 48 adapted to substantially surround a body part. A winding length adjusting unit 2, 30, 206, 210, 213, 213A is connected to the belt member 48 for adjusting a winding length, wherein the winding length adjusting unit is capable of selecting among a measuring

winding length state, a non-measuring winding length state, and a mount/demount length state. The winding length adjusting unit has a body section 2, 30, 206, 210, 213A and a sliding section 3, 48 that slides relative to the body section. The sliding section is configured to be locked inwardly toward a first body section 2 by a spring loaded pin 3. In the measuring winding length state, the fastener is adjusted to a first winding length, wherein the body section 2 is secured to the body sections 30 and 210 and the sliding section 3, 48 is secured to the hole closest to the projection 21. In the non-measuring winding length state, the fastener is adjusted to a second winding length longer than the first winding length, wherein the sliding section is secure to the hole farthest from the projection 21, such that a mounting state is maintained on the human body in a non-measuring state. In the mount/demount length state, the fastener is capable of being mounted or demounted from the body part and the body section 2 is released from body sections 30 and 210. The cuff fastener is configured to adapt to the size of a wrist of the human body in response to a change to the measuring winding length state from the mount/demount state. One end of the belt member 48 is fixedly connected to one end of the winding length adjusting unit and the other end of the belt member is adapted to pass through an opening 213 in the other end of the winding length adjusting unit. The opening in the other end of the winding length adjusting unit is configured to allow the belt member length to be fixed or adjusted upon passing through the opening (see entire document, especially figs. 24 and 25; col. 6, lines 31-60 of Okada). Okada lacks details as to the spring-loaded pin.

However, Feid teaches a spring-loaded pin in a watch closure, wherein the spring-loaded pin comprises a coil spring 16 (see entire document, especially figs. 6 & 7 of Feid). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to use the coil spring in the spring loaded pin of Okada, since Okada teaches using a spring loaded pin and Feid describes such a spring-loaded pin having a coil spring.

As to the language, "blood pressure meter cuff fastener" and "for measuring a blood pressure", the applicants should note that this is merely "intended use" language which cannot be relied upon to define over the prior art since Okada, as modified, teaches all of the claimed structural elements and their recited relationships. The fastener of Okada, as modified, could certainly be used on a blood pressure meter cuff.

In the alternative, Lee teaches a blood pressure cuff meter employing a watchband and fastener (see entire document, especially figs. 1-4; col. 2, lines 55-61 of Lee). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to use the fastener of Okada, as modified, on a blood pressure meter cuff, since Okada teaches a watch band and fastener (see entire document, especially col. 1, lines 5-10; col. 6, lines 49-50 of Okada) and Lee discloses using a watch band and fastener on a blood pressure meter cuff.

Regarding claim 3, the spring loaded pin 3, holes in the sidewall of body section 2, and the band 48 make up a first fixing mechanism for selectively fixing one of the measuring winding length state and the non-measuring winding length state between

the body section 2 and the sliding section 3, 48 (see entire document, especially figs. 24 and 25 of Okada).

Regarding claim 4, the body section 2, 30, 206, 210, 213A comprises the first body section 2, a second body section 206 provided pivotally on one end of the first body section and which can be folded on the first body section 2, and a third body section 210, provided pivotally on the other end of the second body section 206 and which can be folded on the second body section 206. The first 2, section 206, and third 210 body sections are folded to be superimposed one on another to enable the measuring winding length state and non-measuring winding-length state to be achieved. The second 206 and third 210 body sections are released from the folding state of the first body section 2 to enable the mount/demount length state to be acquired (see entire document, especially figs 24 and 25 of Okada).

Regarding claim 5, a second fixing mechanism 16e, 19, 20, 46 is provided to fix the measuring winding length state and the non-measuring winding length state between the first and third body sections (see entire document, especially figs. 24-26; col. 4, lines 13-56; col. 6, lines 49-60 of Okada).

Regarding claim 6, the combination of Okada with Feid and Lee teaches an electronic blood pressure meter (see entire document, especially col. 2, line 55-col. 3, line 3; col. 5, lines 28-47 of Lee) having a blood pressure meter cuff fastener according to any one of claims 1, 3, or 5.

### ***Response to Arguments***

Applicant's arguments filed 6/28/07 have been fully considered but they are not persuasive.

With regard to the rejection under 35 U.S.C. 112, 1st paragraph, the applicants states that the locking of the sliding section does not have to be effected by just the coil spring, adding "That is not what is claimed and that is not what is disclosed in abundant detail in the specification". The examiner agrees that this is not what is disclosed in detail in the specification, hence the reason for the rejection under 112, 1st paragraph. Additionally, the current claim language indeed encompasses an invention in which the coil spring alone locks the first body section. This rejection may be overcome by amending "by a coil spring" online 20 of claim 1 to "in part by a coil spring".

As to the amended claim 1, the applicants argue that the invention of amended claim 1 is not disclosed by Okada, Feid, or Lee, viewed alone or in combination. However, as described above, the invention of amended claim 1 is indeed disclosed by Okada in view of Feid or Okada in view of Feid and Lee, particularly because Okada discloses an embodiment wherein an end of the band passes through an opening and can be adjusted (see the seventh embodiment of Okada, described in figures 24-26 and col. 6, lines 30-60 of Okada).

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PATRICIA C. MALLARI whose telephone number is (571)272-4729. The examiner can normally be reached on Monday-Friday 10:00 am-6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Marmor, II can be reached on (571) 272-4730. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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